

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
May 19, 2020

A regular meeting of the Borough Council of the Borough of Rumson was held (virtually) on Tuesday, May 19, 2020 at 4:30 p.m.

Pledge of Allegiance.

Present: Mayor Hemphill, Council President Atwell, Councilmen Casazza, Conklin, Kingsbery, Rubin and Swikart.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks, Borough Engineer, was present.

Mayor Hemphill declared a quorum present and announced that the Notice Requirements of the Open Public Meetings Act have been met for this meeting by the posting and mailing of a notice at least 48 hours in advance thereof to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Council President Atwell, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

**NOTIFICATION RECEIVED FROM THE RUMSON BOARD OF EDUCATION
AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH
OF RUMSON RELATIVE TO THE PURCHASE, DEMOLITION AND TRANSFER OF
PROPERTY LOCATED AT 16 NARUMSON STREET (BLOCK 44, LOT 1).**

The Municipal Clerk/Administrator received a letter from the Rumson Board of Education authorizing an Interlocal Services Agreement with the Borough. This Agreement is in regard to the purchase, demolition and eventual transfer of property located at 16 Narumson Street (Block 44, Lot 1).

Councilman Rubin made a motion to accept the communication. Council President Atwell seconded the motion, and this communication was ordered received. All in favor.

**LETTER OF RESIGNATION RECEIVED FROM DIANE BURKE OF THE
ENVIRONMENTAL COMMISSION EFFECTIVE MAY 11, 2020.**

The Municipal Clerk/Administrator received a letter of resignation from Diane Burke of the Environmental Commission effective May 11, 2020. Ms. Burke has relocated to another municipality.

With regret, Councilman Rubin made a motion to accept the communication and thanked Ms. Burke for her service to the community. Council President Atwell seconded the motion and this communication was ordered received. All in favor.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

RESOLUTION 2020-0519-71 APPOINTING RETIRED PATROLMAN KEVIN GAYNOR AS A TEMPORARY CLASS II SPECIAL LAW ENFORCEMENT OFFICER.

2020-0519-71

Councilman Rubin offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the Borough of Rumson, through its Police Department, has the need for a temporary Class II Special Law Enforcement Officer; and

WHEREAS, on April 6, 2020, Governor Murphy signed Executive Order No. 115 which 1) waives reenrollment into the State-administered retirement systems for retirees hired for temporary reemployment during, and for the duration of the COVID-19 emergency and 2) permits retirees to return to their former employer within 180 days of retirement provided that the return to employment was not preplanned; and

WHEREAS, the retiree must have also had a complete severance from his or her former employer for at least 30 days from the date of retirement or the date of Board of Trustee approval, whichever is later; and

WHEREAS, retirees who return for temporary reemployment with the same employer from which he or she retired, the 180-day complete severance requirement can be waived; provided the 30-day break has been met and there was no pre-planning of the retiree's temporary reemployment; and

WHEREAS, Police Patrolman Kevin Gaynor retired on December 1, 2019 and has therefore met the 30 day break requirement to be rehired at the Borough of Rumson; and

WHEREAS, this return to employment was not preplanned and is for temporary reemployment during, and for the duration of the COVID-19 emergency; and

WHEREAS, Police Chief Scott Paterson and the Police Committee have recommended that Kevin Gaynor be appointed and reemployed as a temporary Class II Special Law Enforcement Officer for the Borough of Rumson; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Kevin Gaynor be appointed as a temporary Class II Special Law Enforcement Officer at an hourly wage of \$20.00 per hour effective May 1, 2020; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief of Police and the Payroll Clerk.

Resolution seconded by Council President Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

RESOLUTION 2020-0519-72 TEMPORARY EMERGENCY RESOLUTION.

2020-0519-72

Councilman Rubin offered the following resolution and moved its adoption:

TEMPORARY EMERGENCY APPROPRIATION RESOLUTION

WHEREAS, the temporary appropriations previously adopted will be inadequate to the point when the 2020 Budget will be finally adopted; and

WHEREAS, N.J.S.A. 40A:4-20 states that the Governing Body may, by resolution adopted by a 2/3 vote of full membership, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year; and

BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the following emergency temporary appropriations, in addition to the temporary appropriations already adopted, be adopted, and it is stated that these emergency temporary appropriations shall be included in the 2020 Budget when adopted.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer, and the Director of the Division of Local Government Services.

Administrative – Other Expenses	\$ 5,000.00
Municipal Clerk – Other Expenses	\$ 5,000.00
Audit – Other Expenses	\$ 2,500.00
Legal – Other Expenses	\$ 5,000.00
Planning Board – Other Expenses	\$ 500.00
Construction – Other Expenses	\$ 2,500.00
Police – Other Expenses	\$ 10,000.00
Public Buildings & Grounds – Salary & Wages	\$ 1,000.00
Public Buildings & Grounds – Property Lease	\$ 1,375.00
Sewer – Other Expenses	\$ 15,000.00
Utility & Bulk Purchases:	
Street Lighting	\$ 10,000.00
Telephone	\$ 5,000.00
Landfill/Solid Waste	\$ 50,000.00
INSURANCE	
Employee Group Health	\$ 10,000.00

Resolution seconded by Council President Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

RESOLUTION 2020-0519-73 AUTHORIZING THE EMERGENCY INTRA-COUNTY MUTUAL AID AND ASSISTANCE AGREEMENT BETWEEN PARTICIPATING UNITS.

2020-0519-73

RESOLUTION AUTHORIZING EMERGENCY INTRA-COUNTY
MUTUAL AID AND ASSISTANCE AGREEMENT BETWEEN
PARTICIPATING UNITS

THIS AGREEMENT is made between the parties set forth on Schedule A (attached hereto) all of which are governmental entities within Monmouth County, New Jersey and all of its departments, authorities, boards, commissions and other functions under the auspices of the governmental entity including, but not limited to, law enforcement, public works, emergency services, emergency management, human services, hazardous materials responses units/technical or special operations teams, Community Emergency Response Team (CERT) members, Medical Reserve Corps (MRC) members or other volunteers and other jurisdictions defined as "local governments" in the Homeland Security Act of 2002. Hereinafter the parties may be referred to as "Participating Units", "Requesting Units" or "Responding Units".

WHEREAS, the President in Homeland Security Directive (HSPD - 5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App.A9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, the State of New Jersey adopted the "Fire Service Resource Emergency Deployment Act," N.J.S.A. 52:14E-11 et. seq., to establish a mechanism for the coordination of fire service resources throughout the State to facilitate a quick and efficient response to any emergency incident or situation that requires the immediate deployment of those resources in order to protect life and property from the danger or destruction of fire, explosion or other disaster; and

WHEREAS, the Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq, and N.J.A.C. 5:75 A-2.2 specifically requires each municipality or fire district to adopt a local fire mutual aid plan; and

WHEREAS, N.J.S.A. 40A: 14-26 and 156.1 et seq has authorized interjurisdictional mutual aid; and

WHEREAS, an emergency responder is defined as anyone employed by, contracted to provide services to or otherwise affiliated with the Participating Units and possessing special skills, qualifications, training, knowledge and experience beneficial to the mitigation of disaster situations; An emergency responder includes, but is in no way limited to, the following: hazardous materials response officials, law enforcement officers, fire fighters, emergency medical services personnel, physicians, nurses, other public health personnel, emergency management personnel, public works personnel, those persons with specialized equipment operations skills or training or any other skills needed to provide aid in a declared emergency.

WHEREAS, the Participating Units recognize the benefit of entering into an agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property in each individual jurisdiction.

WHEREAS, on November 14th, 2013, the County of Monmouth became a participant in the Statewide Inter-County Mutual Aid and Assistance Agreement.

WITNESSETH:

In consideration of the mutual benefits and covenants contained in this agreement, the Participating Units respectively agree as follows:

1. **Mutual Aid and Assistance.** Upon the request as provided herein, the Participating Units shall provide mutual aid and assistance to each other. Mutual Aid and Assistance shall include the following:
 - a. Rendering of aid and assistance, including pre-established immediate response or other support, i.e. providing sheltering of the Requesting Units population, by one or more Participating Units to an emergency scene under the control and/or jurisdiction of another Participating Unit, said emergency may include but not to be limited to fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe affecting the environment.
 - b. Rendering of aid and assistance by one or more Participating Units to another Participating Unit to serve as supplemental reserve protection in the Requesting Unit's jurisdiction while the Requesting Unit is on an emergency call and/or otherwise currently unable to address the emergency service needs in its jurisdiction.
 - c. Participating in training exercises with other participating units, where the purpose of such training exercises is to coordinate and prepare for fire, civil unrest, hazardous material, major emergency, natural disaster, environmental disaster and/or other emergency situations that are a threat to life or property.
2. **Requests for Mutual Aid and Assistance.**
 - a. Each Participating Unit within the applicable Annexes or Emergency Support Functions of their Emergency Operations Plan shall address mutual assistance to the levels they deem acceptable when measured against potential risks and shall be based on available resources at the time a request is made. Said information shall be updated with the quadrennial submission of said Emergency Operations Plan or on a more frequent basis as needed to the Monmouth County Office of Emergency Management.
 - i. All Local Fire Mutual Aid Plans shall be in compliance with the New Jersey Fire Service Emergency Deployment Rules N.J.A.C. 5:75A et seq, specifically N.J.A.C. 5:75A-2.2
 - ii. The County Emergency Management Coordinator, County Fire Coordinator, the County EMS Coordinator, the County Director of Public Works and Engineering or the County Prosecutor, where appropriate, will implement mutual aid provisions in accordance with the County EOP or other response plans for agencies/jurisdiction failing to cover this in their EOP's or submitting plans as required in section 2a.
 - b. Requests for mutual aid should be made by the on-scene incident commander or through the jurisdiction's emergency operations center to the Monmouth County Communications Center who will notify the Responding Unit's dispatch center.
 - i. The request to the Responding Unit shall include the following:
 1. The type and extent of services requested,

2. The staging location,
 3. A designated communications frequency for mutual-aid units to contact the Requesting Unit for further instructions.
 - ii. The on-scene incident commander or the emergency operations center of the Requesting Unit shall formally release the Responding Unit from the incident scene once it has been determined that the Responding Unit's services are no longer needed for the incident period.
3. **Tactical Command and Authority at Emergency Scene.** The Incident Commander of the Requesting Unit shall have overall command authority of all Participating Units at the scene of the emergency. Participating Units shall operate in compliance of the State Incident Management System N.J.A.C. 5:73-1.6(b).
- a. If a Responding Unit responds to the scene of an emergency located within a jurisdiction that does not possess the capabilities of the Responding Unit, then the Responding Unit's officer in charge must coordinate with the Incident Commander of the Requesting Unit to expand incident management structure through established policies and procedures.
4. **Reimbursement of Expenses.** Any reimbursement or replacement shall not be construed as payment or consideration for making the mutual aid and assistance response but only as an effort to compensate a Responding Unit for its actual costs incurred.
- a. In the event of a federally declared disaster:
 - i. To be eligible for reimbursement by FEMA, the mutual aid assistance should have been requested by a Requesting Entity in accordance with paragraph 2; be directly related to a presidentially declared emergency or major disaster, or declared fire; used in the performance of eligible work; and the costs must be reasonable. This written agreement between Requesting Entities and Providing Entities stipulates the Providing Entity may be reimbursed through the Requesting Entity. Requesting Entities should document and claim eligible costs of the Providing Entity, pursuant to the terms and conditions of the mutual aid agreement and requirements of FEMA Policy 9523.6, on its sub grant application and agree to disburse the federal share of funds to the Providing Entity.
 - b. If consumable goods (e.g. disposable personal protection equipment, fuel, chemical substances, crowd control gases, water additives, sterilized medical equipment) are used in response to the incident by a Responding Unit at a mutual aid and assistance response which will cause the Responding Unit to incur an expenditure to replace the same, the Requesting Unit shall replace or reimburse the Responding Unit the actual cost for the expenditure involved or pursuant to an annual cost recovery resolution adopted by the governing body of the Responding Unit, but in no case more than 110% of actual cost.
 - i. In order for the Requesting Unit to repair or replace the consumed goods, the Responding Unit must submit an invoice within thirty (30) days of the event for the cost of the goods to the Requesting Unit.
 - c. If equipment (e.g. aerial lift, ambulance, backhoe, excavator, generator, hazardous materials trailer, truck-mounted snow plow with truck) is used in response to the incident by a Responding Unit at a mutual aid and assistance response which will cause the Responding Unit to incur an expenditure, the Requesting Unit shall reimburse the Responding Unit the rate dictated in the FEMA Schedule of Equipment Rates or previously agreed upon actual rate. If the equipment is not included the FEMA Schedule, the Requesting and Responding units agree to determine a reasonable hourly or daily rate.
 - i. In order for the Requesting Unit to recover the cost to use the equipment, the Responding Unit must submit an invoice within thirty (30) days of the

event with the length of time the equipment was used times the established rate to the Requesting Unit.

- d. If personnel (e.g. hazardous materials technician, law enforcement officer, firefighter, paramedic, or any other employee who may fall under the jurisdictions' authority) are used in response to the incident by a Responding Unit at a mutual aid and assistance response which will cause the Responding Unit to incur an expenditure, the Requesting Unit shall reimburse the Responding Unit at the median hourly rate published by the State of New Jersey's Department of Labor and Workforce Development's Occupational Employment Statistics tool or previously agreed actual rate¹ or at the hourly rate that is established by the Responding Unit's Collective Bargaining Agreement(s), applicable salary ordinance or affective pay scales and shall, when applicable, shall include all Fringe Benefits as stated in the listed document. In the event that the Responding Unit utilizes personnel that are not normally assigned to work at the time their assistance is requested (e.g. calling in off-duty personnel), the Requesting Unit shall be responsible for the additional overtime rate.
 - i. In order for the Requesting Unit to recover the cost of personnel, the Responding Unit must submit an invoice within thirty (30) days of the event with the number of hours work was performed multiplied by the median hourly rate for each personnel type to the Requesting Unit.
 - e. In the event of a hazardous materials incident, the Responding Unit may directly invoice the party responsible (e.g. a chemical plant) instead of the Requesting Unit for the cost of consumable goods, equipment, and/or personnel following the aforementioned rate structure. Said invoice must be submitted to the Responsible Party, and copied to the Requesting Unit, within thirty (30) days of the event. if, after ninety (90) days, the invoice remains unpaid, the Requesting Unit shall, at the request of the Responding Unit, issue a local summons pursuant to the local Spill Reimbursement Ordinance adopted as part of this agreement.
 - f. This Agreement applies when there is no other mutual aid agreement between the participating parties or otherwise supersedes existing mutual aid agreements when: 1) there has been an Emergency Proclamation issued for the County by the Governor, the County or City the Government authorities; 2) by the activation of the State or County Emergency Operations Center to coordinate the emergency response; or, 3) when an NIMS Incident Commander has been established for the emergency.
 - g. Participating Units, when possible, will be reimbursed in accordance with the Spill Compensation Control Act (N.J.A.C. 7:1E-5.3/N.J.S.A. 58:10-23.11e).
 - h. This agreement recognizes the provisions as required by New Jersey Civilian Defense & Control Act App.9-33 et seq. and specifically Emergency Medical Services N.J.S.A.26:2K-60.
5. **Limitation of Providing Mutual Aid and Assistance.** Nothing contained in this Agreement shall be construed to require a Participating Unit to make a mutual aid and assistance response if the response will leave the Participating Unit's jurisdiction without sufficient police, fire, ambulance and/or emergency protection.
6. **Communication and Coordination.** The Emergency Management Coordinator of Monmouth shall be responsible for maintaining an update list of all contact information for all signatories.
7. **Death or Disability.** If any member of a Participating Unit suffers injury or death at the scene of a mutual aid and assistance emergency or training exercise, the member or the member's 'designee or legal representative shall be entitled to all salary, pension rights, worker's compensation and other benefits to which the member would be entitled if injury or death occurred in the performance of duties within the jurisdiction of the
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Participating Unit in accordance to N.J.S.A.40A: 14-26. Said rights, benefits and compensation shall be paid by the Participating Unit and not by the Requesting Unit. Each Participating Unit shall be individually responsible for providing adequate benefits, coverage and compensation for its members.

8. **Members Authority.** The members of each Participating Unit making a mutual aid and assistance response shall have the same powers and authority as the members of a Requesting Unit at the scene of an emergency in accordance with N.J.S.A. 40A: 14-156.2. Said members of a Participating Unit shall also have, while so acting, such rights and immunities as they would otherwise enjoy in the performance of their normal duties within their own jurisdiction.
9. **Liability Insurance.** Each Participating Unit shall maintain adequate liability insurance, the minimum limits of which shall be \$1 million. Additionally, the Requesting Unit agrees to hold harmless and defend a Participating Unit in the event of any lawsuit arising out of such assistance. On an annual basis, all Participating Units are to provide the County Emergency Management Coordinator with a Certificate of Insurance supporting the existence of the required insurance, referencing this agreement.
10. **Indemnity.** To the fullest extent permitted by law, a Responding Participating Unit shall indemnify and hold harmless the other Participating Units, its agents, servants, officers, officials and employees, or any of them, from and against any and all claims, damages, losses, and expenses including, but not limited to, reasonable attorney's fees and other legal, arising out of or resulting from the performance or provision of services required under this Agreement, provided that same is caused in whole or part by the negligent act, error, omission, failure to act, or willful misconduct of the Responding Unit, its agents, servants, officers, officials, employees.

The Unit shall submit a report to all other Participating Units within forty-eight (48) hours of learning of any incident resulting in damage or which is reasonably likely to result in a claim of damage.

11. **Term; Withdrawal.** This Agreement shall commence upon signing by each of the Participating Units and shall continue in full force and effect indefinitely so long as there are at least two (2) Signatories. Any Participating Unit may withdrawal from this Agreement by providing all other Participating Units and the Monmouth County Office of Emergency Management with sixty (60) days advanced written notice of withdrawal, clearly specifying the applicable date of withdrawal. In the event of withdrawal by any Participating Unit, this Agreement will continue in full force and effect for all remaining Participating Units.
12. **Legal Authority.** This Agreement for mutual aid and assistance is expressly made in accordance with N.J.S.A. 40A: 14-26 and 156.1 et seq.
13. **Entire Agreement.** This agreement constitutes the entire understanding between the Participating Units. This Agreement supersedes all communications, representations or prior agreements, oral or written, between Participating Units with respect to the subject matter hereof.
14. **Execution of Agreement.** Upon execution of this agreement, all signatories become mutual aid partners amongst all other executed entities.
15. **Preclusion of Double Benefit.** Should any entity covered under this agreement receive benefits that would otherwise cover the costs of services, the requesting entity may not be responsible to cover costs associated with the request.

WHEREAS, the Mayor and Council of the Borough of Rumson and the Participating Units recognize the benefit of entering into an Agreement for mutual aid and assistance with each other to protect against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and to address those situations when additional aid and assistance is needed to protect the best interests of the persons and property of each individual jurisdiction;

NOW, THEREFORE, BE IT RESOLVED that the Intra-County Mutual Aid and Assistance Agreements between the Borough of Rumson and Participating Units be and are hereby accepted; and

BE IT FURTHER RESOLVED that the Mayor and Borough Administrator are authorized to execute the Intra-County Mutual Aid and Assistance Agreements once they have been authorized and executed by each Participating Unit; and

BE IT FURTHER RESOLVED that the Borough Administrator forward a certified true copy of this resolution to the Monmouth County Sheriff; Office of Emergency Management Coordinator; and Police Department, Department of Public Works, Fire Department and Emergency Medical Services.

The above Resolution was moved for adoption by Councilman Rubin. Motion seconded by Council President Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

RESOLUTION 2020-0519-74 AUTHORIZING CHANGE ORDER NUMBER 1 FOR THE 2019 ROAD IMPROVEMENT PROGRAM.

2020-0519-74

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION TO AUTHORIZE CHANGE ORDER NUMBER 1
FOR THE 2019 ROAD IMPROVEMENT PROGRAM**

WHEREAS, S. Brothers Inc., of PO Box 317, South River, NJ 08882, was awarded a contract with the Borough of Rumson for the Borough's 2019 Road Improvement Program on September 24, 2019 in the amount of \$650,579.40; and

WHEREAS, certain field changes and supplemental work was deemed necessary during the project, and;

WHEREAS, quantities of certain items in the original contract have been adjusted to reflect as-built quantities and actual field conditions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves Change Order Number 1 of the Borough's contract with S. Brothers Construction for the 2019 Road Improvement Program, which change order will reflect the addition of certain requested supplemental and extra work resulting in an increase in the amount of \$118,200.06 and the change in certain materials and equipment resulting in a decrease of \$197,985.76, with a net decrease of \$79,785.70, decreasing the total revised contract amount to \$570,793.70. Said Change Order was recommended by the Borough's Consulting Engineer in a letter dated May 13, 2020, a copy of which is on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2020-0519-75 AUTHORIZING REFUND OF TAX LIEN #19-00001
REDEMPTION MONIES TO SEAN JOSEPH RICHTER.**

2020-0519-75

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING REFUND OF
TAX LIEN #19-00001 REDEMPTION MONIES
TO SEAN JOSEPH RICHTER**

WHEREAS, at the Municipal Tax Sale held on November 21, 2019, a lien was sold on Block 117, Lot 18, also known as 67 Bellevue Ave. in Rumson, for 2018 delinquent municipal sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #19-00001, was sold to SEAN JOSEPH RICHTER, for a \$1,200.00 premium; and

WHEREAS, Shellpoint Mortgage Servicing has effected redemption of Certificate #19-00001 in the amount of \$710.65.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby authorize the Chief Financial Officer to issue a check in the amount of \$1,910.65 payable to SEAN JOSEPH RICHTER, 116 Whispering Pines Drive, Lincroft, NJ 07738 for the redemption of Tax Sale Certificate #19-00001; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer/Tax Collector.

Resolution seconded by Council President Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

**RESOLUTION 2020-0519-76 AUTHORIZING CHANGE ORDER NUMBER 4 FOR THE
2018 ROAD IMPROVEMENT PROGRAM-PHASE III LAFAYETTE STREET AREA
IMPROVEMENTS.**

2020-0519-76

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION TO AUTHORIZE CHANGE ORDER NUMBER 4
FOR THE 2018 ROAD IMPROVEMENT PROGRAM – PHASE III
LAFAYETTE STREET AREA IMPROVEMENTS**

WHEREAS, S. Brothers Inc., of PO Box 317, South River, NJ 08882, was awarded a contract with the Borough of Rumson for the Borough's 2018 Road Improvement Program –

Phase 3, Lafayette Street Area Improvements on July 9, 2019 in the amount of \$1,219,917.20; and

WHEREAS, previous change orders were authorized resulting in a revised contract amount of \$1,280,652.70, and;

WHEREAS, certain field changes and supplemental work was deemed necessary during the project, and;

WHEREAS, quantities of certain items in the original contract have been adjusted to reflect as-built quantities and actual field conditions;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby approves Change Order Number 4 of the Borough's contract with S. Brothers Construction for the Road Improvement Program – Phase 3, Lafayette Street Area Improvements, which change order will reflect the addition of certain requested supplemental and extra work resulting in an increase in the amount of \$131,036.18 and the change in certain materials and equipment resulting in a decrease of \$8,115.00, with a net increase of \$122,921.18, increasing the total revised contract amount to \$1,403,573.88. Said Change Order was recommended by the Borough's Consulting Engineer in a letter dated May 6, 2020, a copy of which is on file in the Municipal Clerk's office; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

Resolution seconded by Council President Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

RESOLUTION 2020-0519-77 SUPPORTING THE ENACTMENT OF ASSEMBLY BILL NO. 3971 AND SENATE BILL NO. 2475 TO AUTHORIZE THE ISSUANCE OF CORONAVIRUS RELIEF BONDS BY MUNICIPALITIES AND COUNTIES.

2020-0519-77

Councilman Rubin offered the following resolution and moved its adoption:

A RESOLUTION OF THE BOROUGH OF RUMSON SUPPORTING THE ENACTMENT OF ASSEMBLY BILL NO. 3971 AND SENATE BILL NO. 2475 TO AUTHORIZE THE ISSUANCE OF CORONAVIRUS RELIEF BONDS BY MUNICIPALITIES AND COUNTIES

WHEREAS, municipalities and counties throughout New Jersey are facing unprecedented financial challenges, including significant loss of revenue and unanticipated spending, due to the ongoing COVID-19 State of Emergency and Public Health Emergency; and

WHEREAS, without relief, local government may have to significantly reduce services and layoff personnel; and

WHEREAS, in response to these conditions, Assemblymen Benson and Coughlin introduced A-3971 and Senator Singleton introduced S-2475, which authorizes local units to issue "coronavirus relief bonds" to allow them to borrow money, with a ten-year payback period,

to cover shortfalls and unanticipated costs that are a direct result of the COVID-19 pandemic;
and

WHEREAS, such bonds will provide local units with the flexibility to ensure continuation of essential services.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Rumson that it hereby affirms its support for the enactment of A-3971 and S-2475.

BE IT FURTHER RESOLVED that the Clerk shall be directed to transmit a copy of this Resolution to the Governor, Senate President, Assembly Speaker and the legislative delegation of the 13th district.

Resolution seconded by Councilman Casazza and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

ANNOUNCEMENTS BY THE MAYOR:

Mayor Hemphill made the following announcements:

1. Due to the current status of COVID-19, the Borough’s Annual Memorial Day Parade and Ceremony scheduled for Monday, May 25th has been cancelled. There will be a small virtual ceremony in its place.

2. There will be no garbage collection on Monday, May 25th Memorial Day. Anyone whose garbage day falls on Monday will have to wait until their next regular collection day (Thursday) for pick-up. Borough Hall will also be closed on Memorial Day.

3. The regular Council meeting scheduled for Tuesday, May 26th at 7:30 p.m. has been cancelled. The next regular Council meeting will be held on June 9th, as originally planned. However, the time has been changed from 7:30 p.m. to 4:30 p.m.

Thank you for your cooperation and have a safe and enjoyable Memorial Day weekend.

FINANCIAL OFFICER’S REPORT:

The Financial Officer’s Report disclosed the following as of April 30, 2020:

BOROUGH OF RUMSON				
CHIEF FINANCIAL OFFICER REPORT TO THE MAYOR AND COUNCIL				
Analysis of Cash for the Month Ending:		April 30, 2020		
FUNDS	Beginning Balance	Cash Receipts	Disbursements	Ending Balance
1. CURRENT FUND				
Current Fund Checking	17,464,080.55	3,437,677.53	(7,243,559.21)	13,658,198.87
Change Funds	300.00			300.00
Investments Rumson BAN	1,462,000.00			1,462,000.00
Total Current Fund	18,926,380.55	3,437,677.53	(7,243,559.21)	15,120,498.87
2. CAPITAL FUND				-
Capital Fund Checking	3,630,869.69	0.00	(228,032.04)	3,402,837.65

Total Capital Fund	3,630,869.69	0.00	(228,032.04)	3,402,837.65
3. PAYROLL & PAYROLL AGENCY				
Payroll	2,981.86	290,579.22	(290,579.22)	2,981.86
Payroll Agency	10,011.53	178,794.01	(178,832.52)	9,973.02
Total Payroll & Payroll Agency	12,993.39	469,373.23	(469,411.74)	12,954.88
4. TRUST FUNDS				
Trust Fund Checking	547,543.62	14.00	(2,922.89)	544,634.73
Unemployment Trust	72,372.86	4,044.57	0.00	76,417.43
Recreation Trust	534,239.78	(1,755.00)	(18,871.05)	513,613.73
C.O.A.H. Trust	2,756,517.84	29,914.81	(389,170.50)	2,397,262.15
Law Enforcement Trust Fund	451.49	0.30	0.00	451.79
LEAD (formerly DARE)	10,523.24	6.87	(2,304.00)	8,226.11
Cafeteria Plan	6,561.17	0.00	(597.96)	5,963.21
Animal Control Trust Fund	32,787.95	405.00	(419.20)	32,773.75
Total Trust Funds	3,960,997.95	32,630.55	(414,285.60)	3,579,342.90
TOTAL ALL FUNDS	26,531,241.58	3,939,681.31	(8,355,288.59)	22,115,634.30

Respectfully submitted by:

Helen L. Graves

Helen L. Graves, Chief Financial Officer

On motion by Councilman Casazza, seconded by Councilman Rubin, the Financial Officer’s Report was ordered received and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Casazza offered the following Resolution and moved its adoption:

Vendor	Amount
NJ DEPT HEALTH/SR SERVICES	\$ 42.00
RED BANK VETERINARY HOSPITAL	\$ 78.00
ANIMAL CONTROL FUND	\$ 120.00
	\$
S. BROTHERS, INC.	\$ 228,285.03
S. BROTHERS, INC.	\$ 143,790.56
CAPITAL FUND	\$ 372,075.59
	\$
NEXVORTEX, INC	\$ 16.84
NEXVORTEX, INC	\$ 1,259.13
STATE OF NJ - DEP	\$ 450.00
VERIZON	\$ 50.91
VERIZON	\$ 356.38
VERIZON	\$ 58.15

VERIZON WIRELESS	\$	472.50
VERIZON WIRELESS	\$	89.42
VERIZON BUSINESS FIOS	\$	144.99
JCP&L	\$	3,848.29
NANCY MCLAUGHLIN	\$	5,534.82
NJ NATURAL GAS CO.	\$	243.13
NJ NATURAL GAS CO.	\$	1,025.98
MONALISA ROUMEL	\$	8,547.00
ACME LOCKSMITH SERVICE	\$	22.62
AMERICANWEAR INDUST UNIFORMS	\$	1,238.70
ATLANTIC COAST FIBERS, LLC	\$	5,943.95
BAIN'S HARDWARE INC.	\$	10.77
BANISCH ASSOCIATES, INC.	\$	6,925.00
BARGER & GAINES	\$	4,000.00
BOB'S UNIFORM SHOP	\$	350.00
BOROUGH OF FAIR HAVEN	\$	20,150.00
TAMILA BUMBACK	\$	35.99
RICHARD & LINDA CAMPANELLA	\$	433.80
CLEARY, GIACOBBE, ALFIERI	\$	225.00
COMCAST	\$	2,106.06
BROOKE COSTA	\$	478.70
DELTA DENTAL OF NEW JERSEY INC	\$	4,257.55
DIRECT ENERGY BUSINESS	\$	491.31
EDMUNDS AND ASSOCIATES, INC	\$	772.97
FAIR HAVEN HARDWARE INC	\$	28.14
FASTENAL CO	\$	609.42
JOSEPH FAZZIO WALL, LLC	\$	95.42
GANN LAW BOOKS	\$	205.00
GENERAL CODE,LLC	\$	3,552.00
GLOBAL INDUSTRIAL	\$	1,084.82
HOLMAN FRENIA ALLISON, PC	\$	2,500.00
HOUGH PETROLEUM CORP	\$	2,099.75
THE INSTITUTE FOR FORENSIC	\$	450.00
JASPAN HARDWARE	\$	110.98
JESCO, INC.	\$	660.37
JOHN GUIRE SUPPLY,LLC	\$	352.29
LAWES	\$	443.39
LAWES	\$	92.54
LAWES ENVIRONMENTAL SERVICES	\$	375.00
MICHELE A MACPHERSON	\$	360.00
MAZZA RECYCLING SERVICES, LTD	\$	58.00
MELISSA MCGUIRE	\$	4.50
MCKESSON MEDICAL-SURGICAL	\$	581.76
MID-ATLANTIC TRUCK CENTRE INC	\$	661.82
MONMOUTH MUNICIPAL J.I.F.	\$	175,781.00
MONMOUTH HOSE & HYDRAULICS	\$	63.57
MR JOHN INC	\$	584.35
M. PATRICIA & JOSEPH MURPHY	\$	867.60
NAJARIAN ASSOCIATES	\$	1,908.15
NAJARIAN ASSOCIATES	\$	1,176.00
NAYLOR'S AUTO PARTS	\$	105.93
NEW JERSEY AMERICAN WATER	\$	9,568.00
NEW JERSEY AMERICAN WATER	\$	1,447.73

STATE OF NJ PENSIONS/ACTIVE	\$	83,686.45
STATE OF NJ PENSIONS/RETIREE	\$	33,931.13
ONE CALL CONCEPTS	\$	145.08
PEP BOYS	\$	1,336.01
QUEEN VACUUM CO	\$	62.96
REPUBLIC SERVICES of NJ, LLC	\$	3,289.92
RICOH USA, INC.	\$	508.65
RICHTER, SEAN JOSEPH	\$	1,910.65
THOMAS S ROGERS	\$	15.98
THOMAS S ROGERS	\$	35.08
ROY PRESS PRINTERS	\$	280.00
RYSER'S LANDSCAPE SUPPLY YARD	\$	58.00
SEABOARD WELDING SUPPLY, INC	\$	52.00
SF MOBILE-VISION,INC	\$	1,794.00
SF MOBILE-VISION,INC	\$	2,140.00
SIP'S PAINT & HARDWARE	\$	369.77
SIP'S PAINT & HARDWARE	\$	46.29
STAPLES,INC	\$	48.62
STAPLES,INC	\$	279.96
STAPLES,INC	\$	188.40
STAVOLA ASPHALT CO. INC.	\$	213.07
STATE OF NJ, TREASURER	\$	190.98
MICHAEL B STEIB, PA	\$	585.00
SUBURBAN DISPOSAL INC.,	\$	26,750.00
SUBURBAN DISPOSAL INC.,	\$	10,820.70
TARGETED TECHNOLOGIES LLC	\$	2,574.76
TARGETED TECHNOLOGIES LLC	\$	414.00
TAYLOR COMMUNICATIONS, INC	\$	674.00
TIMMERMAN EQUIPMENT COMPANY	\$	5,314.09
TREAS. STATE OF NJ, DCA	\$	182.00
TREASURER, STATE OF NJ	\$	50.00
TREASURER, STATE OF NEW JERSEY	\$	25.00
THE TWO RIVER TIMES	\$	39.37
V. E. RALPH & SON	\$	163.85
PETER H VISIONE	\$	2,876.67
WAGEWORKS	\$	100.00
GEORGE WALL LINCOLN	\$	1,000.49
WATCHUNG SPRING WATER CO.	\$	180.21
Y-PERS, INC.	\$	256.08
Y-PERS, INC.	\$	124.57
ZEP SALES & SERVICE	\$	331.09
<i>CURRENT FUND</i>	\$	<i>458,412.37</i>
	\$	
SICILIANO LANDSCAPE CO LLC	\$	500.00
<i>RUMSON ENDOWMENT FUND INC</i>	\$	<i>500.00</i>
	\$	
RUMSON ELEMENTARY SCHOOL DIST	\$	6,224.83
STEVE'S MOBILE MARINE LLC	\$	1,448.55
WHITEHOUSE, DOROTHY	\$	5,625.00
<i>RECREATION TRUST</i>	\$	<i>13,298.38</i>
	\$	
MICHAEL B STEIB, PA	\$	91.00
<i>TRUST</i>	\$	<i>91.00</i>

<i>Animal Control Fund</i>	\$	<i>120.00</i>
<i>Capital Fund</i>	\$	<i>372,075.59</i>
<i>Current Fund</i>	\$	<i>458,412.37</i>
<i>Rumson Endowment Fund, Inc.</i>	\$	<i>500.00</i>
<i>Recreation Trust</i>	\$	<i>13,298.38</i>
<i>Trust</i>	\$	<i>91.00</i>
<hr/>		
<i>Total of All Funds</i>	\$	<i>844,497.34</i>

Resolution seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Atwell, Casazza, Conklin, Kingsbery, Rubin and Swikart.

In the negative: None.

Absent: None.

COMMENTS FROM THE COUNCIL:

 The Mayor afforded the members of the Council an opportunity to be heard at this time and no one spoke.

COMMENTS FROM THE PUBLIC:

 Municipal Clerk/Administrator Thomas Rogers read the instructions for anyone wishing to make public comments on the virtual call.

 The Mayor afforded the public an opportunity to be heard at this time and no one spoke.

ADJOURNMENT:

 Councilman Rubin made a motion to adjourn the meeting which was seconded by Council President Atwell. The meeting adjourned at 4:40 p.m. All in favor.

Respectfully submitted,

 Thomas S. Rogers, R.M.C.
 Municipal Clerk/Administrator